

Serial No. 09/589,510  
Group Art Unit: 1638

**Amendments to the Claims:**

- E
1. (Currently Amended) An isolated polynucleotide comprising a member nucleic acid sequence selected from the group consisting of:
    - (a) a nucleic acid sequence having at least 90% sequence identity to SEQ ID NO: 3, wherein the % sequence identity is based on the entire coding region and is calculated by the GAP algorithm under default parameters, wherein the sequence encodes a polypeptide with helicase RuvB activity;
    - (b) a nucleic acid sequence which is fully complementary to the nucleic acid sequence of (a).
  2. (Withdrawn)
  3. (Previously Amended) A recombinant expression cassette, comprising the polynucleotide of claim 1 operably linked to a promoter.
  4. (Original) A host cell comprising the recombinant expression cassette of claim 3.
  5. (Previously Amended) A transgenic plant comprising the recombinant expression cassette of claim 3.
  6. (Original) The transgenic plant of claim 5, wherein said plant is a monocot.
  7. (Original) The transgenic plant of claim 5, wherein said plant is a dicot.

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8. (Original) The transgenic plant of claim 5, wherein the plant is selected from the group consisting of corn, soybean, sunflower, sorghum, canola, wheat, alfalfa, cotton, rice, barley, and millet.
9. (Original) A transgenic seed from the transgenic plant of claim 5.
- 10-13 (Withdrawn)
14. (Previously Added) The isolated polynucleotide of claim 1, wherein the nucleic acid sequence of (a) has at least 95% sequence identity to SEQ ID NO: 3.
15. (Previously Added) The isolated polynucleotide of claim 1, wherein the nucleic acid sequence is SEQ ID NO: 3.
16. (Previously Added) An isolated polynucleotide comprising at least 100 contiguous nucleotides of SEQ ID NO: 3.

17. (Currently Amended) An isolated polynucleotide comprising a ~~member~~ nucleic acid sequence selected from the group consisting of:
- (a) a nucleic acid sequence encoding a polypeptide having at least 90% sequence identity of the entire length of SEQ ID NO: 4, as determined by the GAP algorithm under default parameters, wherein the encoded polypeptide has ~~helicase~~ RuvB activity; and,
- (b) a nucleic acid sequence which is fully complementary to the nucleic acid sequence of (a).

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18. (Previously Added) The isolated polynucleotide of claim 17, wherein the nucleic acid sequence of (a) encodes a polypeptide having at least 95% sequence identity to SEQ ID NO: 4.
19. (Previously Added) The isolated polynucleotide of claim 17, wherein the polynucleotide encodes the polypeptide of SEQ ID NO: 4.
20. (Previously Added) A recombinant expression cassette comprising the polynucleotide of claim 17 operably linked to a promoter.
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- E3 21. (Currently Amended) A ~~non-human~~ host cell comprising the recombinant expression cassette of claim 20.
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22. (Previously Added) The host cell of claim 21, wherein the host cell is a plant cell.
23. (Previously Added) A transgenic plant comprising the recombinant expression cassette of claim 20.
24. (Previously Added) The transgenic plant of claim 23, wherein said plant is a monocot.
25. (Previously Added) The transgenic plant of claim 23, wherein said plant is a dicot.
26. (Previously Added) The transgenic plant of claim 23, wherein said plant is selected from the group consisting of maize, soybean, safflower, sunflower, sorghum, canola, wheat, alfalfa, cotton, rice, barley, and millet.

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27. (Currently Amended) A transgenic seed from the transgenic plant of claim 45
- 23.

28. (Previously Added) An isolated polynucleotide which encodes a polypeptide comprising at least 50 contiguous amino acids of SEQ ID NO: 4.